

REMARKS

Claims 1-11 and 14-30 are pending in the application. Claims 1-9, 11, 14-17 and 19-30 stand rejected, and claims 10 and 18 are objected to.

Rejection under 35 U.S.C §102

Claims 1-9, 11, 14-17 and 19-30 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,658,568 to Ginter et al. In particular, the Examiner finds that, with regard to claim 1, Ginter discloses all of the claimed limitations. Applicant has reviewed the reference with care, paying particular attention to the passages cited, and is compelled to respectfully disagree with the Examiner's characterization of this reference.

Claim 1 recites, *inter alia*, that the content data includes a condition requiring that a particular subject must have a particular attribute in order for the delegation to be valid. The Examiner opines that Ginter discloses this limitation in Figs. 50A and 51F-H and the associated description. This is not in fact correct. As Ginter discloses beginning at the top of column 83,

FIG. 50A illustrates how such different digital certificates can be used to support certificate-conditional controls 188--that is, control sets whose elements are dependent on the presence or absence of certificates 504 that attest to certain facts. In this FIG. 50A example, one or more control sets 188c include a number of discrete controls 188(1) . . . 188(N) applying to the same digital property 66 or group of properties, for example. Control 188(3) may provide additional and/or different rights to all students, faculty and staff members of Stanford University. In the FIG. 50A example, multiple certificates can be used together to provide the requested certifications. For example, the certificates 504(1), 504(2), 504A shown in the FIG. 50 example can be used together to allow a particular person to take advantage of a discount offered to students, faculty and staff members of accredited institutions of higher learning.

The 'control set' is described as:

In this example, rights and permissions clearinghouse 400 may act as a centralized "repository" or clearinghouse for rights associated with digital content. For example, broadcasters, authors, and other content creators and rights owners can register permissions with the rights and permissions clearinghouse 400 in the form of electronic "control sets." These permissions can specify what consumers can and can't do with digital properties, under what conditions the permissions can be exercised and the consequences of exercising the permissions. Rights and permissions clearinghouse 400 can respond to requests 402 from electronic appliance protected processing environment 154 by delivering permissions (control sets) 188 in response.

Thus, in essence, the control sets taught by Ginter apply at the *end* of the process, and only after a subject's certificates have been checked and the rights issued by them determined does the control set define what the certificate allows. Claim 1, on the other hand, claims the inclusion of delegation conditions *within* the certificates themselves and thus the delegation conditions are included in a certificate by its issuer and can specify what other attributes the subject has to have in order for the certificate to confer its rights. This is a significant difference from Ginter, because the conditions are expressed in the actual certificates, not as a separate control set, and also because no "clearinghouse" is involved - the receiver of the certificates is able to verify delegation himself because all the information required is present in the certificates. Furthermore, this conditionality can also occur *inside* a delegation chain, not just as a separate step at the end. For example, given a certificate chain C1, C2, C3, passing a right , a condition may be included in C2 directing that it only pass the right R if the subject also has right X.

To further illustrate the practical benefits conferred by Applicant's novel electronic certificate data structure, consider another example given in Ginter (col. 83, line 13 on):

For example, the certificates 504(1), 504(2), 504A shown in the FIG. 50 example can be used together to allow a particular person to take advantage of a discount offered to students, faculty and staff members of accredited institutions of higher learning.

Thus by the system of Ginter an issuer can issue a “discount certificate” to anyone who produces the correct credentials. By Applicant’s invention of using conditions, however, the discount issuer could issue a single certificate that includes the condition “anyone who is a member of University X receives the discount.” In this manner anyone with a “member of University X” certificate can produce that certificate together with the *single general* discount certificate and prove their entitlement to the discount. Users thus can simply present the two certificates to organizations granting the discount and do not have to get a discount certificate issued to them individually. The condition in the general certificate controls who gets the discount, and no further outside controls are required.

In view of the above Applicant respectfully submits that claim 1 is in fact novel, non-obvious, and patentable over Ginter and requests the Examiner to kindly reconsider and pass this claim to issue.

Applicant further submits that the above discussion is equally probative of the novelty of claims 11, 19 and 25, and respectfully submits that these claims are also allowable.

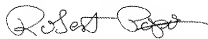
Claims 2-9 depend directly or indirectly on claim 1; claims 14-17 depend directly or indirectly on claim 11; claims 20-23 depend directly or indirectly on claim 19; and claims 26-30 depend directly or indirectly on claim 25. Applicant respectfully submits that at least in view of their dependency on claims 1, 11, 19 or 25, claims 2-9, 14-17, 20-23 and 26-30 are also patentable.

Applicant acknowledges with gratitude the Examiner’s indication of allowability as to claims 10 and 18 but in view of the above discussion respectfully submits that all pending claims are allowable.

In view of the above, Applicant submits that the application is now in condition for allowance and respectfully urges the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

Respectfully submitted,



Robert Popa
Attorney for Applicant
Reg. No. 43,010
(323) 934-2300 voice
(323) 934-0202 facsimile
rpopa@la.ladas.com